

FILED

AUG 7 - 2007

1 BARRY J. PORTMAN
2 Federal Public Defender
HILARY A. FOX
3 Assistant Federal Public Defender
555 12th Street, Suite 650
4 Oakland, CA 94607
Tel: (510) 637-3500

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

5 Counsel for Defendant LOMACK

6

7

8

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9

10

11 UNITED STATES OF AMERICA,)
12 Plaintiff,) No. CR 98-40107 CW *WDB*
13 v.) STIPULATION AND [PROPOSED]
14 ELBERT LOMACK,) ORDER TO CONTINUE STATUS
15 Defendant.) HEARING RE: SUPERVISED
16 _____) RELEASE VIOLATION
17 Date: Aug. 8, 2007
18 Time: 10:00 a.m.
19 Court: Hon. Wayne D. Brazil
20 U.S. Magistrate Judge

21

22 Defendant Elbert Lomack and the government, through counsel, hereby stipulate and request
23 that the further status hearing regarding defendant's compliance with supervised release conditions
24 currently set for Wednesday, August 8, 2007, at 10:00 a.m. be continued until Friday,
25 September 7, 2007, at 10:00 a.m., before The Hon. Wayne D. Brazil, United States Magistrate
26 Judge. The parties request this continuance because defense counsel is out of town and will be
unavailable on Wednesday the 8th. The September 7 date is the next available date for all parties.

The United States Probation Officer has been contacted and has no objection to the new date.

1
2 SO STIPULATED.

3 Dated: August 7, 2007


4 HILARY A. FOX
Attorney for Defendant LOMACK

5 SO STIPULATED.

6 Dated: August __, 2007

7 CHINHAYI COLEMAN
8 Assistant United States Attorney

10 IT IS SO ORDERED.

12 Dated: August __, 2007

See next page for signature
13 WAYNE D. BRAZIL
14 United States Magistrate Judge

15

16

17

18

19

20

21

1

2 SO STIPULATED.

3 Dated: August 7, 2007


HILARY A. FOX
Attorney for Defendant LOMACK

4

SO STIPULATED.

5 Dated: August 7, 2007


CHINHAYI COLEMAN
Assistant United States Attorney

6

7

8

9

10

11

ORDER

12 Based on the parties' above stipulation, and good cause appearing, it is hereby ORDERED
13 that the status hearing currently set for Wednesday, August 8, 2007 at 10:00 a.m. is continued to
14 Friday, September 7, 2007 at 10:00 a.m.

15

16 IT IS SO ORDERED.

17

Dated: August 7, 2007


WAYNE D. BRAZIL
United States Magistrate Judge

18

19

20

21

22

23

24

25

26

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

ELBERT LOMACK,

Defendant.

Case Number: CR-98-40107 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 8, 2007, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the persons hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy into an inter-office delivery receptacle located in the Clerk's office.

Chinhayi J. Coleman
US Attorney's Office, Northern District
1301 Clay Street, Suite 340S
Oakland, CA 94612-5217

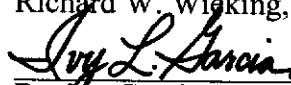
Hilary A. Fox
Federal Public Defender's Office
555 - 12th Street, Ste. 650
Oakland, CA 94607-3627

Jacqueline Sharpe
U.S. Probation Officer
U.S. Probation Office
450 Golden Gate Avenue, Ste. 17-6884
San Francisco, CA 94102

cc: Sheilah Cahill, Judge Wilken's Courtroom Deputy

Dated: August 8, 2007

Richard W. Wicking, Clerk


By: Ivy Garcia, Deputy Clerk